UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/318,105	05/24/1999	EMMANUEL GERLOVIN	PAS-094	9928

959 7590 06/16/2005

LAHIVE & COCKFIELD, LLP.
28 STATE STREET
BOSTON, MA 02109

EXAMINER	
DAY, HERNG DER	

ART UNIT	PAPER NUMBER
2128	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/318,105	GERLOVIN ET AL.	
	Examiner	Art Unit	
	Herng-der Day	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Applicants' Amendment ("Amendment") to Office Action dated November 10, 2004, mailed February 10, 2005.

1-1. Claims 1-26 are pending.

1-2. Claims 1-26 have been examined and rejected.

Specification

2. The Examiner thanks Applicants' submitting the requested user manuals.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3-1. Claims 6 and 23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 9, 14, 19, 23, 27, and 30 of copending Application No. 09/316,549 in view of Cottrell et al., "CHDStd – A Model for Deep Submicron Design Tools", Design Automation Conference 1998, Proceedings of the ASP-DAC 1998, Asia and South Pacific, pages 249-255.

Claims 1, 9, 14, 19, 23, 27, and 30 of copending Application No. 09/316,549 fail to expressly disclose the analysis is "an external application program (EAP)" as recited in the present Application.

Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callback registration includes the function to be called and optional application-data to be passed (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to register the analysis of the copending Application No. 09/316,549 with the CAD system to establish a two-way link between the EAP and the CAD because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

3-2. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fane "Your Table Is Waiting...", CADalyst, January 1999, pages 70-75, in view of Cottrell et al., "CHDStd – A Model for Deep Submicron Design Tools", Design Automatiòn Conference 1998, Proceedings of the ASP-DAC 1998, Asia and South Pacific, pages 249-255.

5-1. Regarding claim 1, Fane discloses in a computer system running a computer-aided design (CAD) package (Fane, Autodesk Mechanical Desktop, page 70, left column, paragraph 1) and an external application program (EAP) (Fane, an external Microsoft Excel spreadsheet, page 74, Figure 5), a method, comprising the steps of:

providing a model of an object in the CAD package, wherein said model includes output data from the EAP integrated into said model (Fane, updates your model, page 75, left column, paragraph 1);

modifying the model (Fane, editing a value, page 72, right column, paragraph 4 through page 74, left column, paragraph 1);

Fane fails to expressly disclose the steps of determining that the modifying of the model requires recalculation of the output data from the EAP and in response to the determining, sending new input data to the EAP and obtaining new output data from the EAP.

Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callback registration includes the function to be called and optional application-data to be passed (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6). Specifically, Cottrell et al. disclose the missing steps:

determining programmatically without user input that the modifying of the model requires recalculation of the output data from the EAP (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5); and

in response to the determining, programmatically sending new input data to the EAP (Cottrell, application-data to be passed, page 252, left column, paragraph 5) and obtaining new output data from the EAP (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fane to incorporate the teachings of Cottrell et al. to obtain the invention as specified in claim 1, i.e., to register the external Microsoft Excel spreadsheet (the EAP) with the Autodesk Mechanical Desktop (the CAD package) to establish a two-way link from the Autodesk Mechanical Desktop to the external Microsoft Excel spreadsheet,

because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

5-2. Regarding claim 2, Cottrell et al. further disclose the step of calling the EAP from the CAD package to obtain the new output data (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5).

5-3. Regarding claim 3, Cottrell et al. further disclose the step of registering the EAP with the CAD package (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-4. Regarding claim 4, Cottrell et al. further disclose the registering registers a callback to the EAP from the CAD package (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-5. Regarding claim 5, Fane further discloses the EAP performs analysis on at least a portion of the model to produce the original output data and the new output data (Fane, cells within the spreadsheet can contain formulas and references to other cells within the spreadsheet, page 75, center column, paragraph 1).

5-6. Regarding claim 6, Fane further discloses the analysis is an engineering analysis (Fane, cells within the spreadsheet can contain formulas and references to other cells within the spreadsheet, page 75, center column, paragraph 1).

5-7. Regarding claim 7, Fane and Cottrell et al. further disclose the steps of:

further modifying the model (Fane, editing a value, page 72, right column, paragraph 4 through page 74, left column, paragraph 1);

determining that the further modifying of the model requires further recalculation of the output data from the EAP (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5); and

in response to the determining that the further modifying of the model requires further recalculation of the output data, obtaining new output data from the EAP (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking).

5-8. Regarding claim 8, Fane discloses in a computer system having a computer-aided design (CAD) package (Fane, Autodesk Mechanical Desktop, page 70, left column, paragraph 1) for manipulating a model of an object, a method, comprising the steps of:

importing the output data into the CAD program from the EAP (Fane, updates your model, page 75, left column, paragraph 1);

integrating the output data into the CAD model such that future changes to the model require additional calculations to be performed by the EAP (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking);

modifying the CAD model (Fane, editing a value, page 72, right column, paragraph 4 through page 74, left column, paragraph 1);

automatically integrating the updated output data into the CAD model without a user request (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking).

Fane fails to expressly disclose the steps of (1) exporting data from a CAD model in a CAD program to an external application program (EAP); (2) using the exported data as input

data to execute the EAP and obtain output data from the EAP; and (3) determining programmatically without user input that the modifications to the model require new output data from the EAP; and (4) in response to the determination that the modifications to the model require new output data from the EAP, programmatically calling the EAP without user input and passing new input data to the EAP, the new input data generated from the modification of the model, the new input data used by the EAP to generate updated output data.

Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callback registration includes the function to be called and optional application-data to be passed (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6). Specifically, Cottrell et al. disclose the missing steps:

exporting data from a CAD model in a CAD program to an external application program (EAP) (Cottrell, application-data to be passed, page 252, left column, paragraph 5);

using the exported data as input data to execute the EAP and obtain output data from the EAP (Cottrell, invoked automatically, Cottrell, page 252, left column, paragraph 5);

determining programmatically without user input that the modifications to the model require new output data from the EAP (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5); and

in response to the determination that the modifications to the model require new output data from the EAP, programmatically calling the EAP without user input and passing new input data to the EAP, the new input data generated from the modification of the model (Cottrell,

application-data to be passed, page 252, left column, paragraph 5) the new input data used by the EAP to generate updated output data (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fane to incorporate the teachings of Cottrell et al. to obtain the invention as specified in claim 8, i.e., to register the external Microsoft Excel spreadsheet (the EAP) with the Autodesk Mechanical Desktop (the CAD package) to establish a two-way link from the Autodesk Mechanical Desktop to the external Microsoft Excel spreadsheet, because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

5-9. Regarding claim 9, Cottrell et al. further disclose the method further comprises the step of registering the EAP with the CAD program (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-10. Regarding claim 10, Cottrell et al. further disclose the registering comprises registering a callback that is called from the CAD program to access the EAP (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-11. Regarding claim 11, Fane further discloses that the CAD model is a feature-based model (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

5-12. Regarding claim 12, Fane further discloses that the CAD model is a parametric model (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

5-13. Regarding claim 13, Fane further discloses that at least one of said integrating the output data into the CAD model and said automatically integrating the updated output data into the CAD model comprises adding parameters to the CAD model (Fane, add specific values, page 74, center column, paragraph 4 through page 75, left column, paragraph 1).

5-14. Regarding claim 14, Fane further discloses that at least one of said integrating the output data into the CAD model and said automatically integrating the updated output data into the CAD model comprises adding geometric entities to the CAD model (Fane, add more rows, page 74, center column, paragraph 4 through page 75, left column, paragraph 1).

5-15. Regarding claim 15, Fane discloses a computer-aided design (CAD) system, comprising:

a CAD program (Fane, Autodesk Mechanical Desktop, page 70, left column, paragraph 1);

an external application program (EAP) that is external to the CAD program (Fane, an external Microsoft Excel spreadsheet, page 74, Figure 5);

a model of an object that contains output data from the EAP (Fane, a part generated by the CAD program is shown in Figure 6, page 75);

Fane fails to explicitly disclose a registration facility. However, Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callbacks can be registered for add, delete, or modify events, for example, setting a particular property value, on many objects (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6). Specifically, Cottrell et al. disclose the missing step:

a registration facility for registering the EAP with the CAD program so that the CAD program calls the EAP when the output data from the EAP in the model needs updating as a result of changes to the model (Cottrell, a callback feature that allows an application to register methods to be invoked on specific object events, page 252, left column, paragraph 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fane to incorporate the teachings of Cottrell et al. to obtain the invention as specified in claim 15, i.e., to register the external Microsoft Excel spreadsheet (the EAP) with the Autodesk Mechanical Desktop (the CAD package) to establish a two-way link from the Autodesk Mechanical Desktop to the external Microsoft Excel spreadsheet, because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

5-16. Regarding claim 16, Cottrell et al. further disclose the registration facility registers a callback from the CAD program to the EAP (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-17. Regarding claim 17, Fane further discloses the model is a feature-based model (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

5-18. Regarding claim 18, Fane further discloses the model is a parametric model (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

5-19. Regarding claim 19, Fane discloses in a computer system running an external application program (EAP), and a computer-aided design (CAD) package with a model of an object that

includes output data from the EAP, a computer-readable medium holding computer-executable instructions for performing a method, comprising the computer-implemented steps of:

modifying the model (Fane, editing a value, page 72, right column, paragraph 4 through page 74, left column, paragraph 1);

Fane fails to expressly disclose the steps of determining that the modifying of the model requires recalculation of the output data from the EAP and in response to the determining, sending new input data to the EAP and obtaining new output data from the EAP.

Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callback registration includes the function to be called and optional application-data to be passed (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6). Specifically, Cottrell et al. disclose the missing steps:

determining programmatically without user input that the modifying of the model requires recalculation of the output data from the EAP (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5); and

in response to the determining, sending new input data to the EAP (Cottrell, application-data to be passed, page 252, left column, paragraph 5) and obtaining new output data from the EAP (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fane to incorporate the teachings of Cottrell et al. to obtain

the invention as specified in claim 19, i.e., to register the external Microsoft Excel spreadsheet (the EAP) with the Autodesk Mechanical Desktop (the CAD package) to establish a two-way link from the Autodesk Mechanical Desktop to the external Microsoft Excel spreadsheet, because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

5-20. Regarding claim 20, Cottrell et al. further disclose the step of calling the EAP from the CAD package to obtain the new output data (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5).

5-21. Regarding claim 21, Cottrell et al. further disclose the step of registering the EAP with the CAD package (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-22. Regarding claim 22, Cottrell et al. further disclose the registering registers a callback to the EAP from the CAD package (Cottrell, a callback feature that allows an application to register methods, page 252, left column, paragraph 5).

5-23. Regarding claim 23, Fane further discloses the EAP performs analysis on at least a portion of the model to produce the output data and the new output data (Fane, cells within the spreadsheet can contain formulas and references to other cells within the spreadsheet, page 75, center column, paragraph 1).

5-24. Regarding claim 24, Fane discloses in a computer system having a computer-aided design (CAD) package for manipulating a model of an object, a computer-readable medium holding computer-executable instructions for performing a method, comprising the computer-implemented steps of:

importing output data into the CAD program from an external application program (EAP) (Fane, updates your model, page 75, left column, paragraph 1);

integrating the output data into the model such that future changes to the model require additional calculations to be performed by the EAP (Fane, updates your model, page 75, left column, paragraph 1; the invoked method will update the model instead of double-clicking);

modifying the model (Fane, editing a value, page 72, right column, paragraph 4 through page 74, left column, paragraph 1).

Fane fails to expressly disclose the steps of (1) exporting data from a CAD model in a CAD program to an external application program (EAP); (2) using the exported data as input data to execute the EAP and obtain output data from the EAP; and (3) updating the output data by calling the EAP without user input and passing the new input data to the EAP following the modification of said model.

Cottrell et al. teach a callback feature that allows an application to register methods to be invoked on specific object events. Callback registration includes the function to be called and optional application-data to be passed (Cottrell, page 252, left column, paragraph 5). With a callback, program code can be easily modularized to take advantage of this event-driven processing (Cottrell, page 252, left column, paragraph 6). Specifically, Cottrell et al. disclose the missing steps:

determining programmatically without user input that the modifying of the model requires recalculation of the output data from the EAP (Cottrell, methods to be invoked on specific object events, page 252, left column, paragraph 5) and

Automatically updating the output data by calling the EAP with new input data without a user request (Cottrell, application-data to be passed, page 252, left column, paragraph 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fane to incorporate the teachings of Cottrell et al. to obtain the invention as specified in claim 24, i.e., to register the external Microsoft Excel spreadsheet (the EAP) with the Autodesk Mechanical Desktop (the CAD package) to establish a two-way link from the Autodesk Mechanical Desktop to the external Microsoft Excel spreadsheet, because program code can be easily modularized to take advantage of this event-driven processing as suggested by Cottrell et al. (Cottrell, page 252, left column, paragraph 6).

5-25. Regarding claim 25, Fane further discloses the model is feature-based (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

5-26. Regarding claim 26, Fane further discloses the model is parametric (Fane, Mechanical Desktop is a feature-based parametric solid modeler, page 70, left column, paragraph 1).

Applicants' Arguments

6. Applicants argue the following:

6-1. Claim Rejections Pursuant to First Paragraph of 35 U.S.C. §112

(1) "Applicants have amended the independent claims at issue to clarify that the programmatic execution is occurring without user input" (page 7, last paragraph, Amendment).

6-2. Provisional Double Patenting Rejection

(2) "The claims all indicate that the analysis is included in a feature of the model with the exception of claim 30. Claim 30 indicates that the results of the analysis are represented as one or more selected features in the model; and that at least one new feature is created that references at least one of the selected features. These limitations are lacking in the claims of the present application" (page 10, paragraph 2, Amendment).

6-3. Claim Rejections Pursuant to 35 U.S.C. §103(a)

(3) "The EAP may thus be located in a separate address space on the same computer as the CAD system or on a separate computer system. The system described in Cottrell clearly indicates it is not an EAP. The model and the application are located in the same address space" (page 12, paragraph 2, Amendment).

Response to Arguments

7. Applicants' arguments have been fully considered.

7-1. Applicants' argument (1) is persuasive. The rejections of claims 1-14 and 19-23 under 35 U.S.C. 112, first paragraph, in Office Action dated November 10, 2004, have been withdrawn.

7-2. Applicants' argument (2) is persuasive. The rejections of claims 1, 8, and 24 under 35 U.S.C. 101, in Office Action dated November 10, 2004, have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made, as detailed in section **3-1** above.

7-3. In response to Applicants' argument (3) that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., in a separate address space) are not recited in the rejected claim(s). Although the claims are interpreted in

light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

8. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Herng-der Day whose telephone number is (571) 272-3777. The Examiner can normally be reached on 9:00 - 17:30. Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jean R. Homere can be reached on (571) 272-3780. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Herng-der Day H.D.
June 13, 2005

Thai Phan
Art Unit 2128